

**DECLARATION FOR UNITED STATES PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled EVERTING STAPLE DEVICES AND METHODS, the specification of which is attached hereto unless the following is checked:

☐ The specification was filed on \_\_\_\_\_ as United States Application Number \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)			Priority Claimed
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(Number)	(Country)	(Day/Month/Year Filed)	(Yes/No)
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(Number)	(Country)	(Day/Month/Year Filed)	(Yes/No)
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I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

<u>60/187,428</u>	<u>March 7, 2000</u>
(Application Number)	(Filing Date)

<u>60/201,594</u>	<u>May 3, 2000</u>
(Application Number)	(Filing Date)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

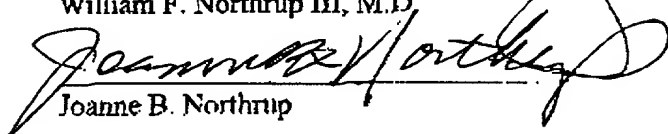
In Witness Whereof, I have hereunto set my hand as dated below.

Date: 3-6-01



William F. Northrup III, M.D.

Date: 3-6-01



Joanne B. Northrup

WITNESSED BY:

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

(Application Number)	(Filing Date)	(Status - patented, pending, abandoned)
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(Application Number)	(Filing Date)	(Status - patented, pending, abandoned)
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I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

William M. Hienz III (Reg. No. 37,069), Steven E. Dicke (Reg. No. 38,431), Patrick G. Billig (Reg. No. 38,080), Timothy A. Czaja (Reg. No. 39,649), Thomas A. Rendos (Reg. No. 33,349), Michael R. Binzak (Reg. No. 38,081), Jeffrey A. Holmen (Reg. No. 38,492) and Scott A. Lund (Reg. No. 41,166).

Address all telephone calls to: William M. Hienz III at telephone number (612) 573-2010.

Address all correspondence to:

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701 Fourth Avenue South  
Minneapolis, Minnesota 55415

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

William F. Northrup III, M.D.

Full name of sole or first inventor (given name, family name)

William Northrup  
Inventor's signature

3-6-01  
Date

Edina, MN

Residence (City and either State or Foreign Country)

U.S.  
Citizenship

c/o Metacardia, Inc., 4702 Lakeview Drive, Edina, Minnesota 55424  
Post Office Address

Joanne B. Northrup

Full name of second joint inventor, if any (given name, family name)

Joanne B. Northrup  
Second Inventor's signature

3-6-01  
Date

Edina, MN

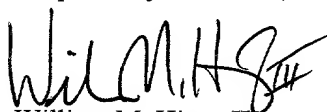
Residence (City and either State or Foreign Country)

U.S.  
Citizenship

c/o Metacardia, Inc., 4702 Lakeview Drive, Edina, Minnesota 55424  
Post Office Address

- [X] A check in the amount of \$570.00 to cover the filing fee and a check in the amount of \$40 to cover the Assignment recordation fee are attached. The Commissioner is hereby authorized to grant any extensions of time and to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required during the entire pendency of this application to Deposit Account No. 500471.

Respectfully submitted,

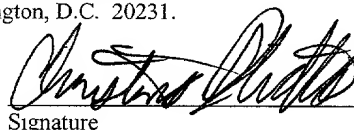


William M. Hienz III  
Registration No. 37,069

CERTIFICATE OF EXPRESS MAIL

"Express Mail" mailing label number EL546309242US. Date of Deposit: March 7, 2001. I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Christina M. Plichta  
Name of Person Signing

  
Signature